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DOCKET NO.: UPAP0025-100 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: David B. Weiner *et al.*

Serial No.: 09/719,067 **Group No.:** 1632

Filing Date: August 16, 2001 **Examiner:** Ram Shukla

For: **METHODS AND COMPOSITIONS FOR DELIVERING PROTEINS TO MACROPHAGE CELLS AND CELLS OF MACROPHAGE DERIVED LINEAGES**

DECLARATION OF DR. DAVID B. WEINER PURSUANT TO 37 CFR § 1.132

I, Dr. David B. Weiner, declare as follows:

1. I am an inventor in the above-identified patent application.

2. I have read the Office Action mailed March 24, 2004.

3. One of ordinary skill in the art would be able to determine whether a promoter is macrophage specific without undue experimentation by using routine, well known techniques.

Dated: 10/5/04

By: _____

Dr. David B. Weiner